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Letter dated 12 August 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee (CTC) has received the attached report from Suriname, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you could arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Counter-Terrorism Committee

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Annex

Note verbale dated 7 August 2002 from the Permanent Mission of Suriname to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

The Permanent Mission of the Republic of Suriname to the United Nations presents its compliments to the Chairman of the Security Council Counter-Terrorism Committee and has the honour to send the attached report, submitted by the Republic of Suriname pursuant to paragraph 6 of resolution 1373 (2001) (see enclosure).

Enclosure

Report submitted by the Republic of Suriname pursuant to paragraph 6 of Security Council resolution 1373 (2001)

The following is the report pursuant to paragraph 6 of resolution 1373 (28 September 2001) indicating measures taken by the Republic of Suriname in order to implement Security Council resolution 1373, according to the format set out in the guidelines circulated by the Chairman of the UN Security Council Counter Terrorism Committee.

Introduction

In the aftermath of the terrorist attacks on the United States of America, on September 11th, 2001, the President of the Republic of Suriname instructed the National Anti-Terrorism Working group to prepare a national report on terrorism. This report [currently only available in Dutch] contains an overview of the current state of affairs in Suriname regarding terrorism, and highlights Suriname's overall policy on issues related to counter-terrorism legislation, the banking system and aviation security. The National Anti-Terrorism Working group consists of representatives of the Ministries of Foreign Affairs, Defense, Justice and Police, Finance, and Transport, Communication and Tourism, as well as the Central Bank of Suriname and the Central Intelligence and (national) Security Department. Owing to the fact that Suriname currently has no specific legislation to punish terrorists or their conspirators, one of the main recommendations posited in this report is that Suriname should draft national legislation to prevent terrorists and their accomplices from using Suriname for any kind of terrorist acts.

1. (a) - What measures if any have been taken to prevent and suppress the financing of terrorist acts in addition to those listed in your responses to questions on 1(b) to (d).

Suriname has no specific legislation dealing with the financing of terrorist acts. However, as mentioned earlier, the National Anti- Terrorism Working group has already recommended the necessary actions to be taken in this regard.

The Central Bank of Suriname has obligated all financial institutions to report all irregular transactions of US$10,000 and more.

1. (b) - What are the offences and penalties in your country with respect to the activities listed in this sub-paragraph?

Due to lack of national legislation with respect to the activities listed in this sub-paragraph, there is currently no listing available of the offences and penalties in this regard.

1. (c) - What legislation and procedures exist for freezing accounts and assets at banks and financial institutions? It would be helpful if States supplied examples of any relevant action taken.

Suriname has no legislation or regulations that could lead to the freezing of bank accounts and other assets at banks and other institutions. There is, however, general legislation that permits the confiscation of illegally acquired assets through criminal court procedures.

1. (d) - What measures exist to prohibit the activities listed in this sub-paragraph?

No specific measures have been taken so far.

2. (a) - What legislation or other measures are in place to give effect to this sub-paragraph? In particular, what offences in your country prohibit (i) recruitment to terrorist groups and (ii) the supply of weapons to terrorists? What other measures help prevent such activities?
There is no definition of terrorism or terrorists in Suriname's legislation. This complicates qualifying these acts as independent and specific crimes.

With regard to legislation prohibiting the "recruitment to terrorist groups", Article 188 of the Criminal Code can be applied to those who join a group for criminal purposes, but this will depend on the kind of association to the group of criminals and the available evidence.

In case of 2.(a) (ii) the Firearms Act can be applied, for the violation of this law is punishable by 6 years in prison. The law on narcotic drugs can also be used in this case, if drugs are traded for weapons. The penalty in this case is twenty years to life in prison and a maximum of five hundred million Surinamese guilders.

When international treaties or conventions are violated, e.g. in case of a hijacking or piracy at sea, within the jurisdiction of Suriname, national legislation will be applied. Specific legislation to punish members of criminal organisations has already been drafted.

2. (b) - What other steps are being taken to prevent the commission of terrorist acts, and in particular, what early warning mechanisms exist to allow exchange of information with other States?
The recently established National Co-ordinating Centre Suriname (NCCS), dealing mainly with drug prevention, could also be mandated to work on terrorism related matters.

With regard to exchange of information and offering assistance to other States, the Code of Criminal Procedure, in case of international legal aid in criminal cases, can be applied.

Suriname exchanges information with other States and their law enforcement agencies and co-operates with e.g. the US Drug Enforcement Agency (DEA) and INTERPOL.

2. (c) - What legislation or procedures exist for denying safe haven to terrorists, such as laws for excluding or expelling the types of individuals referred to in this sub-paragraph? It would be helpful if States supplied examples of any relevant action taken.
Suriname does not have any specific legislation denying safe haven to terrorists.

The procedures that currently exist in this regard are:
- information gathering on foreigners applying for a Surinamese visa, before granting the visa;
- bilateral agreements with other friendly nations and international police organisations, regarding control of the movement of people and deportation or entry of foreigners;
- co-operation with foreign embassies in Suriname that alert us of any potential terrorist threats posed by terrorists trying to enter the country (or region).

2. (d) - What legislation or procedures exist to prevent terrorists acting from your territory against other states or citizens? It would be helpful if States supplied examples of any relevant action taken.
According to article 177 of the Constitution, the Army is responsible for safeguarding the territorial integrity of Suriname, whereas the Police Force is responsible for safeguarding public order and security in Suriname.

Furthermore, Surinamese nationals who offer assistance to or are part of foreign crime syndicates risk a penalty of twenty years to life in prison, according to article 135 jo 4 of the Criminal Code of Suriname.

Suriname's Extradition Act allows the extradition of foreigners suspected of criminal offences. This occurs on the basis of bilateral agreements.

2. (e) - What steps have been taken to establish terrorist acts as serious criminal offences and to ensure that the punishment reflects the seriousness of such terrorist acts? Please supply examples of any convictions obtained and the sentence given.
Suriname has ratified several international conventions on the hijacking of aircraft and piracy at sea. These conventions were also implemented, by incorporating them in national legislation, e.g. by articles 448a and 448b, as well as articles 444 and 445 that impose a maximum penalty of fifteen years imprisonment for respectively hijacking an aircraft and piracy at sea.

In addition to this, it has been recommended that new legislation be drafted.

2. (f) - What procedures and mechanisms are in place to assist other states? Please provide any available details of how these have been used in practice.
International co-operation between police forces and improved exchange of information is made possible through the INTERPOL communication network.

Suriname intensively co-operates with friendly nations in areas of justice, information gathering and fulfilling requests for legal aid. In this regard, alleged criminals were arrested and extradited by Suriname.

2. (g) - How do border controls in your country prevent the movement of terrorists? How do your procedures for issuance of identity papers and travel documents support this? What measures exist to prevent their forgery etc?
Border control has been intensified, and advanced equipment is being used to screen cargo, baggage and travellers. In order to protect our territorial waters, the navy fleet was expanded and co-operation with other departments was intensified. Agreements were made between counterparts at the various border control posts and regular work visits are made.

Training courses were offered to consular, customs and immigration officers to be able to detect false documents.

3. (a) - **What steps have been taken to intensify and accelerate the exchange of operational information in the areas indicated in this sub-paragraph?**
To improve the exchange of information, both bilateral and multilateral agreements were entered into with other Caribbean countries and France (French Guyana), Brazil, the Netherlands, Canada, England and the United States of America. These co-operation mechanisms enhance the flow of information on routes of suspicious aircraft and vessels and other criminal activities.

In this regard, the establishment of the NCCS can be mentioned, and the intensive co-operation with among others the member states of the Inter American Drug Abuse Control Commission (CICAD), International Drug Enforcement Conference (IDEC), Association of Caribbean Commission of Police (ACPP) and the Caribbean Community (CARICOM) member countries.

3. (b) - **What steps have been taken to exchange information and cooperate in the areas indicated in this sub-paragraph?**
Increased co-operation between the Judicial Intelligence Agency and the Central Intelligence and Security Department has led to improved information analysis.

3. (c) - **What steps have been taken to co-operate in the areas indicated in this sub-paragraph?**
Response to 3 (b).

3. (d) - **What are your government's intentions regarding signing and/or ratifying the conventions and protocols referred to in this sub-paragraph?**
The relevant national stakeholders in the areas indicated in this sub-paragraph and the National Anti-Terrorism Working group are looking into this matter.

3. (e) - **Provide any relevant information on the implementation of the conventions, protocols and resolutions referred to in this sub-paragraph.**
Response 3. (a).

3. (f) - **What legislation, procedures and mechanisms are in place for ensuring asylum seekers have not been involved in terrorist activity before granting refugee status. Please supply examples of any relevant cases.**
The provisions in the Alien Act of 1991 will be adapted in order to comply with international developments regarding aliens and asylum seekers. A new Alien Act was approved by Parliament in 1995, and will soon enter into force.

3. (g) - **What procedures are in place to prevent the abuse of refugee status by terrorists? Please provide details of legislation and/or administrative procedures which prevent claims of political motivation being recognised as grounds for refusing requests for the extradition of alleged terrorists. Please supply examples of any relevant cases.**
Response 3 (f).

4. Assistance
Suriname would appreciate technical assistance or guidance in drafting legislation to prevent terrorism, terrorist financing and all kinds of terrorist acts.